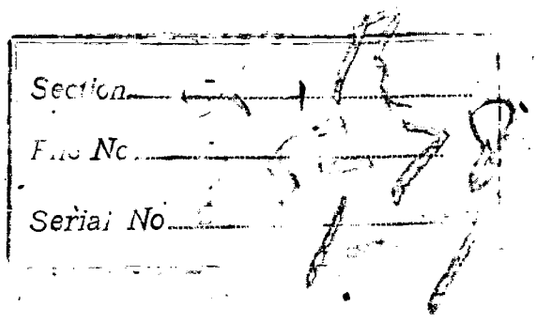
1878.
(L.R.)

File No. 25/78.
Serial No: 1-7

Sub:- Sale of Bedarahalli Kayamgutta village for arrears of revenue



1878

(L.R.)

File No. 25. 8 Sh. P. J.

Sale of Baderhalli Kayaingutta Village for arrears of revenue.

Indexed.

To Dustan

12-9-78

12-13/9/78.

This case is analagous to that reported upon by the Com. Nde in his No 151 of 11 augt/78 below with this difference that, in that case the Rayenguttadar had consented his right to the Malenkhanas, in the present case he has not done so —

As the arrears amt to a large sum I think the village may be put up to auction if it does not fetch the amount due it shd be bought in for Govt at a nominal price, the balance written off the accts and the lands of the village treated as waste and granted for full assessment.

14/9

The Sootteedar the key up no doubt. Sale Regr

Authorize 14/9

authorize sale

16/9

* For 1876-77 — Amount due 436.14.10 - Amount paid 95.0.0 - Balance 341.14.10
" 1877-78 — 416.13.10 - 60.0.0 - 356.13.10

1878. O.2494.

From The Commissioner Nundydroog Division

To

Secretary to Chief Commissioner.

General Department.

Section

File No. 257

Dated 9th September

Despatched

Received 12th Read 13th

ENCLOSURES NO

General No. 1613 } 1878—79.

R. No.

Chief Commrs. Proceedings No. 2147 dated 22d June 1878.

Sir

With reference to the above, I have the honor to report for the information of the Chief Commissioner, that the undersigned has sanctioned the sale of the Baderhully Rayenguttu village in the Bangalore Taluq, estimated at Rs. 885/- in satisfaction of arrears due by the Rayenguttadar as detailed in the *margin.

2. The Rayenguttadar is reported to have recovered the money from the Ryots, and is said to be well

V. well off.

Commissioner

1/132 3 1878. No 99

From

To The Commrs. Customs &c.

Dated 19th September 1878.

Despatched " —

Received 25th "

Enclosures No. " —

General No. 4739

R No. 106

Authorizing the sale of the Bareshally Kayem Gutta & Village Bamboos Salunk in satisfaction of arrears of Revenue with instructions.

1/3

General No: 4739
R . 106

Dated 19th September 1878

Docket No. 167 of the 9th September 1878 from the Comr, Kandikoog Dn, reporting that he has sanctioned the sale of the Baderhally Kayemgutta village in the Bangalore Taluk Estimated at Rs 865/ in satisfaction of arrears due by the Kayemguttadar, and stating that the Kayemguttadar is reported to have recovered the money from the Ryots and that he is said to be well off.

Order thereon — The Chf Commr authorizes the sale of the village in question. If it does not fetch the amount due, it shd be bought in for Govt at a nominal price, the balance written off in the accounts, and the Kayemguttadar

lands of the village 5/7
treated as Sircar and
granted for full assess=
=ment.

Secretary.

To The Commr= Kandroog Dist

Draft
for approval
[illegible]
7/7/9

GR

9/132 6 Ref 2329. 1878. 0.27/2 139.

From Secretary Government Revenue & Agriculture

To

Secretary to Chief Commissioner, ...
...on. General Department.

No.

Dated 21 September 1878.

Despatched

Received 23 September 1878.

ENCLOSURES NO

General No. 83 } 187 —7
No.

In continuation of this office No. 87 of the 9th instant has the honor to report for the information of the Chief Commissioner that the sale of unclaimed property of the Municipality by the undermentioned has been sanctioned on behalf of Government for 1877/1878.

Name of Defaulter.	Amount of Sale.	Amount of Charges.	Balance.	Remarks.
Peeroo Doss.	145 0 0	16 12 0	128 4 0	
Gillanda Sow of Nagoji.	15 0 0	11 0 0	4 0 0	
Ramchunder Sow of Jetaga Chetta	60 0 0	None.	60 0 0	
Ramchunder Sow of Bhaskar Sow.	39 0 0	None.	39 0 0	
Mahadeo Sow.	39 0 0	None.	39 0 0	
Gillanda Sow.	11 0 0	3 0 0	8 0 0	

× Credited Cancelled by Accountant General

In case No 2 the balance due is small and I think the sale of unclaimed property may be performed

1/32

No 4323 of 4 Sept/78 is applicable to R 27 Kayemgutta Villages as remarked by Govt of India in their letter No 52 of 24 May/77 printed R with CC's proc No 3052 of 26th June/77 Kayemgutta &c Villages are not subject to payment of 2nd Sent because they are already heritable and alienable and cannot therefore be resumed by Govt for non-payment of Sutta amount. They must be treated as Kundayem Lands in regard to arrears and put up to auction as was ordered in the present case in this Offce No 4739 of 19th Ultimo R 106 with regard to para 2 there can be no doubt that if the village is resumed & assessed the survey valuation will be binding on the ryots.

RDT 11/10/78

Communicate the Remarks regarding Sutta in lieu of Sent for Resumption. Ask for Cost Copy & Plan X

RR 11/10

Done 13/10

8/10

8-2-2520

R 12/1878.

0 47

From

The Superintendent of the Inam Settlements.

To

The Secretary to the Chief Commissioner General Department.

File No

Dated 2 October

Despatched 3 " "

Received 3 " "

Enclosures No.

No. 2 1878.

No 5353 of 12/10/78

I have the honor to forward a copy of letter No 247 dated 30 Ultimo to the Commr of Mundydroog Division, regarding the resumption of Kayemgutta village of Bedarhully for arrears of revenue.

I have the honor to be Sir Your most obedient Servant

3-10-78

RR (9)

This is a copy of a letter addressed by the Inam Supdt direct to the Comr of Mdy. The latter has not as yet referred it to Chl Commr for orders.

I beg to submit that neither para 1 of CC's Proceedings No 213 of 27 Sept/70 nor the orders recently passed

From Inam Supt^t in Mysore
To The Commissioner of
Nundydrug Division
No. 2470 of 30th September 1878.

8

With reference to the notification of the Deputy Commissioner of the Bangalore District, dated 16th Instant and published at pages 636 and 637 of the Mysore Gazette of the 28th Instant, relative to the sale of the Kayemgutta village of Redarhalli for arrears of revenue, I have the honor to draw your attention to the Chief Commissioner's Proceedings No. 4223/227 of 4th September 1878; and to suggest that the Kayemgutta tenure should be annulled and the village resumed to Government, the lands being re-assessed by the Survey Department.

2. The question, however, arises as to how far the terms on which the ryots of the Kayemgutta dar now hold the lands will be binding on the Government as regards a revaluation.

(Signed) Rob: Cole

No. 52. Inam Supt's Office.
Bangalore 2d Octr 1878.

Has the honor to forward copy of the above, to the Secretary to the Chief Commissioner, for information.

Supt of Inam Setts.

1878. 32.

9

From

To Supdt of Census

Dated 12th October

Despatched " —— " —

Received

Enclosures No. —

General No. 5353

No. 125

Ltr No 5-2 of 2d Oct/78 regarding the suspension of the Kayenutta village of Bawbelli

Observe that matter para 1 of this office Memo No 213/R of 27 Sept/78 nor the C.C. order No 4323/27 of 28 Sept/78 is applicable to Kayenutta village

10

General No: 5353
R. 125

Dated 12th October 1878.

Docket No. 52 of the 2nd October 1878 from the Supdt of Inam Settlt forwarding copy of his letter No. 467 of the 30th ultimo to the address of the Commr, Navsidroog Divn, regarding the resumption of the Kayemgutta village of Baderhalli for arrears of Revenue.

Order thereon — ~~The~~ ~~Chiefcommr~~ observed that neither para 1 of the Govt Office notification No. 213/R dated 27th Septr 1870 nor the C.C's order ~~secured by~~ ~~passed~~ No. 4323/R.27 of the 4th Septr 1878 is applicable to Kayemgutta villages.

H.P. As remarked by the Govt of India in their

their letter No. 52/R dated 21th May 1877, printed with C. C. Rogs No. 3052 dated 26th June 1877, Kayrungutta villages are not subject to Kayst of quit rent, because they are already ~~heritable~~ hereditable and alienable, and cannot therefore be returned by Govt for non-payt of the Gutta amount. They must be treated as Kandayan lands in regard to arrears and in case of sale put up to auction as was ordered in the present case in this Office No. 4739/106 of 19th ultimo.

3. With regard to para 2 of the Asst Supdts

letter to the Commr in above referred to, there can be no doubt that if the village is resumed and assessed, the Survey valuation will be binding on the Ryots.

4. In communicating the above remarks to the Inam Supdt, he is requested to state his reasons more fully for recommending the resumption of the village in question. An early reply is awaited.

Secretary.

2 on the other hand the Supt Inam Settlt considers that the Village should be resumed, but in grounds on which his proposal is based are not stated. The Captain desires that these may be submitted without delay.

Meanwhile, the Comr wishes to defer the proposed sale of the Village pending further orders.

To The Supt of Inam Settlt
" " Com Inam Dr
- Dr Comr Bangalore Dr

I
9 32

0.3498.
59

2 15 1878.

13

From

The Superintendent of the Inam Settlement.

To

Secretary to Chief Commissioner, General Department.

Section 4 1/2

File No 65 1/2

Serial No 6

Dated 25" } October
Despatched 6" } November
Received 28 Oct 78

ENCLOSURES NO. nil

General No. 605 } 1878. 79
No.

Submits certain remarks for the Chief Comr's consideration with reference to his Proc. No. 5353 of the 12" October 1878 and considers that Kayemgutta villages might to be more liable to Quit Rent than Inam villages. —

R 125

To Secretary

6-11-78

PR
11/11

JB

14

No. 65

Inam Settlement Office

Camp at Belur Dated 25th October 1878.

Section

File No

To Serial No 876

The Secretary to Chief Commissioner

General Department.

Sir,

I have the honor to Submit the following remarks for the Consideration of the Chief Commissioner with reference to His Proceedings No. 5353 R. 125 of the 12th October 1878.

2. It has been ruled that a Jodi Inam Village has been granted on the condition, except of course in cases in which other express conditions are stipulated, of the Jodi being paid, and that non payment of the Jodi would lead to the resumption

of

of the Village when not enfranchised and finally alienated.

3. It appeared to me that a Kayengatta Village is held on the same condition and there is no doubt that a non payment of the Kayengatta amount in the days of the late Maha Rajah would have led to a resumption of the Village.

4. Whilst the Province was under native rule, a Village used to be given out on a "guttige", which meant farmed or leased out. In such cases, if a higher offer was made for the Village, the Holders lost it, unless he consented to pay the higher rate. In other cases the Village was farmed out at a fixed and permanent rate, or Kayengattige, to the applicant; but I do not believe that such was intended to constitute heritable

heritable and alienable property.

I have now carefully read the Sannads for nearly half the Rayengutta Villages in the Province and in very few cases have I found the use even of the words granting the Village to the heirs of the applicant or holder, and in none are the powers of alienation conveyed.

5. I Condider, with due deference to the opinions of those who have Considered the Subject before me, but who have not read the Sannads, that the Rayengutta Villages ought to be more liable to Quit rents, or fee for enfranchisement than an Inam Village. An Inam Village was a free gift, whilst a Rayengutta

Village

17

Village was a mere lease or farming out of the Village to the person applying for it.

6. On refering to para 5 of the letter, No 4+47/A 239 of the 2nd december 18.68, from the then Commissioner of Mysore to the Secretary to the Government India in the Foreign department, it will be seen that the Supt. of Nagar had advocated "a full consideration of the terms of the Sanads, on which Kayemgutta Lands are held." This was not done till now, and in some cases I have found the so called Kayemgutta Village was held on a mere "Shraya patti," or lease on a progressive assessment.

+491/239 11/11/78

7. With reference to the orders of the Government of India on Mr. Bowring's letter, I am of openion, after observing the position and status of the Holders of the Kayemgutta Villages,

are "already heritable and alienable" and cannot therefore be resumed by the Government for non-payment of the Jutta. It is true that the alienation of such Villages was recognized, but so it was the case also in the case of Jodi Inam Villages, on which a quit rent is now imposed.

10. The instructions contained in para 2 of the letter No. 52 of the 24th May 1877 from the Secretary to the Government of India in the Foreign Department leaves the settlement of those Villages incomplete, which I do not consider advisable for the interests of either the Government or of the Holders. - With reference

to para 3 of the above letter, I would beg to remark that, by not resuming the Kayemgutta Village and by imposing the lower rate of quit rent, we virtually would admit the validity of the Kayemgutta tenure.

I have the honor to be,
Sir,
Your most obedient Servant.

D. [illegible]

Supt. of Inam Settlements.

Villages, that it was far less ~~18~~
dangerous in a ~~Political~~ point
of view to impose a quit rent
on their Villages than on Inám
Villages, and I believe far more
just to have done so.

8. The views herein expressed were more or less held by the Hon'ble Col. Anderson, the Survey Commissioner, and by Col. Clerk, the former Inam Commissioner, and I would draw especial attention to Col Clerk's letter No 66 of the 30th October 1868, and Specially to para 5 thereof, as bearing on the point now raised again by me.

9. I would beg to Submit that, without a careful Examination of the Sannads, it has been nearly assumed that Rayenguttu Villages are

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viz,

Your most obedient Servant.

Supt of Inam Settlements.

are "already heritable and alienable" and cannot therefore be resumed by the Government for non-payment of the Jutta. It is true that the alienation of such Villages was recognized, but so it was the case also in the case of Jodi Inam Villages, on which a quit rent is now imposed.

10. The instructions contained in para 2 of the letter No. 52 of the Ag Office

To D Master. 1/32

9-11-78 pR (n.s) 21

1244

1 Vol.

Section L 12

File No 35

Serial No

From The Commissioner
Coundyghur &c. &c.

To

Secretary to Chief Commissioner,
General Department.

Dated 5th August 1878.

Despatched

Received 7th "

ENCLOSURES NO. 1

General No. 1141 } 1878-79.
No.

Dy No 8860 dt 3 Sept.
Dy No 12152 dt 12 Nov.

With reference to the Chief Commissioner's proceedings No 1353 dated 12 Nov. granting the sale of the Kayamgudda Hadu. Dutt. Village in the Mangalore Taluk. I have the honor to forward herewith a subsequent correspondence between this Office and the Dy Commissioner and to observe that the sale of the Village on account

8 Dy Comrs Mangalore
Cr 8/5 Dy 11 Sept 1878
Fina Dy Comrs Lr 7088 Dy
23rd Sept 1878.

of arrears of Kayamgutha would accrue to
be the correct course.

I have the honor to be

Sir,

Your most obedient servant

Commissioner

1870 23

From The Commissioner
Bundelkhand Division
To The Dep. Commissioner
Bangalore district
dated 11 October 1870
No. 816

Letter No. 247 of 30 Ultimo from the Superintendent of Inam Settlements.

Copy forwarded to the Deputy Commissioner of the Bangalore district for information and early report with reference to para 2 of the above.

Signed J. C. Crawford
Commissioner

1870

From The Dep. Commissioner
Bangalore district
To The Commissioner
No. 788. Bundelkhand Division
dated 25th October 1870.

Ans No. 816 dated 11 Instant

Forwarding Copy of Swami Superintendent's
letter on the subject of the remuneration of the Kayerugutha Village
of Haderhalli for non-payment
of arrears of the gutta amount.

With reference to the above Swami
the honor to state that the orders
contained in Chief Commissioner's
Proceedings No. 4223/227 of the 4th Ultimo
alluded to in Swami's Superintendent's letter apply only to
unenfranchised Swamis and Jodi
Villages, and not to Kayerugutha
Villages, in respect of which the Pro-
-cedure laid down in Proceedings
No. 5353/125 dated the 12th Instant has
to be followed.

2. In case the arrears of the gutta
amount are not realized by the
sale of Haderhalli and the Village
is bought in Government at a
nominal price, I am directed
that the Ryots will be fair grown
unwilling to submit to the terms

25

of assessment shall be fixed by the Survey Department on their lands.

(Signed) L. Ricketts
Dep. Commissioner

"Copy"
R. H. James Surveyor
Dep. Commissioner